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JS-6

10 Attorneys for Plaintiff Heeling
11 Sports Limited

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 Heeling Sports Limited,

15 Plaintiff,

16 v.

17 U.S. Furong Int'l Inc., Apple Footwear,
18 Inc., Air Fly, 2000 Shoes, Zi Zhen Qiao
19 a/k/a Jenny Qiao, and Does 1 – 10,
inclusive,

20 Defendants.

Case No. 2:06-cv-07624-FMC-PLAx
FINAL JUDGMENT

21 PURSUANT TO Federal Rule of Civil Procedure 58(a), and this Cause having
22 come before this Court on remand from the United States Court of Appeals for the
23 Federal Circuit and on the motion of plaintiff Heeling Sports Limited (“Heeling” or
24 “Plaintiff”) for damages pursuant to default and permanent injunction against
25 defendants U.S. Furong International, Inc., Apple Footwear, Inc., Air Fly, 2000 Shoes,
26 and Zi Zhen Qiao a/k/a Jenny Qiao (collectively, “Defendants”);
27
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1 AND, the Court having read the pleadings, declarations, and exhibits on file in
2 this matter and having reviewed such evidence as was presented in this matter;

3 IT IS THEREFORE ORDERED AND ADJUDGED that:

4 1. Heeling is in the business of designing, manufacturing, and distributing
5 wheeled footwear that is covered and protected by, *inter alia*, United States Patent
6 Nos. 6,406,038; 6,739,602; and 6,746,026 (collectively, the “Patents”).

7 2. Defendants have imported, distributed, sold, and offered for sale products
8 that infringe upon Heeling’s wheeled footwear (“Infringing Product”).

9 3. Defendants and their agents, servants, employees, and all persons in
10 active concert and participation with them who receive actual notice of the injunction
11 are hereby restrained and enjoined from:

12 a. Infringing Heeling’s Patents, either directly or indirectly, in any
13 manner, including but not limited to manufacturing, reproducing,
14 importing, distributing, using, advertising, selling and/or offering
15 for sale any Infringing Product, or inducing the making, using,
16 selling or offering for sale of any Infringing Product; and

17 b. Engaging in any conduct that tends falsely to represent that, or is
18 likely to confuse, mislead, or deceive purchasers, Defendants’
19 customers and/or members of the public to believe that the actions
20 of Defendants, the Infringing Product, or any other product sold by
21 Defendants, or Defendants themselves are connected with Plaintiff,
22 are sponsored, approved or licensed by Plaintiff, or are in any way
23 affiliated with Plaintiff.

24 4. Under 35 U.S.C. § 284, Heeling has established a reasonable royalty of
25 Fifteen Dollars (\$15.00) per unit of Infringing Product.

26 5. Pursuant to 35 U.S.C. § 284, Defendants are ordered to pay patent
27 damages to Heeling in the amount of Two Million Seven Hundred Ninety-Two
28

1 Thousand Two Hundred Fifty Dollars (\$2,792,250.00), ~~and pre-judgment interest~~
2 ~~thereon.~~

3 6. Pursuant to 28 U.S.C. § 1961(a), Defendants are ordered to pay post-
4 judgment interest on the patent damages described in the preceding paragraph at the
5 statutory rate.

6 7. Pursuant to 35 U.S.C. § 285 and Local Rule 55-3 of the United States
7 District Court for the Central District of California, Defendants are ordered to pay
8 Heeling's attorneys' fees and costs in the amount of Fifty-Four Thousand Four
9 Hundred Thirty-Six Dollars and Ninety-Five Cents (\$54,436.95).

10 ~~8. This is an "exceptional case," and Defendants are ordered to pay pre-~~
11 ~~judgment interest on the above-described principal amount of the judgment to Heeling~~
12 ~~at the statutory rate pursuant to 35 U.S.C. § 285.~~

13 9. The Court shall retain jurisdiction of this action to entertain such further
14 proceedings and to enter such further orders as may be necessary or appropriate to
15 implement and enforce the provisions of this judgment.

16
17 IT IS SO ORDERED:

18
19 DATED: June 15, 2009



20 Hon. Florence-Marie Cooper
21 United States District Judge

22 PRESENTED BY:

23 J. Andrew Coombs,
24 A Professional Corporation

25 By: /s/ Annie S. Wang
26 J. Andrew Coombs
27 Annie S. Wang
28 Attorneys for Plaintiff Heeling Sports Limited